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SUBJECT: UGANDAN HUMAN RIGHTS COMMISSION ISSUES 2008 REPORT

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11. (SBU) Summary: The Ugandan Human Rights Commission's (UHRC) recently released 11th annual report highlighted human rights violations perpetrated by individual, poorly trained police officers and members of the military operating at the local level. The UHRC called on the Ugandan government to ban torture and renounce the use of so-called "safe houses." While the quasi-independent UHRC's investigations generally steered clear of Uganda's primary human rights offenders - namely the Chieftaincy of Military Intelligence (CMI), the Police's Rapid Response Unit (RRU), and the Joint Anti-Terrorism Taskforce (JATT) - the report nevertheless represents a good faith effort by the Ugandan government to police itself, compensate victims of human rights violations, and hopefully deter potential future offenders. End Summary.

The Report and its Findings

12. (U) The UHRC released its 11th annual report to Parliament on October 12. The UHRC is constitutionally mandated to investigate and report on human rights complaints, and provide monetary compensation to victims of human rights violations. The UHRC consists of a Chairperson and six members nominated by President Museveni, and has offices and staff throughout the country. A gap from November 2008 to May 2009, spanning the expiration of the previous Commission's tenure and the nomination of new commissioners, significantly delayed the 2008 report's release.

13. (U) In 2008, the UHRC registered 1,060 human rights complaints against 873 individuals. Three hundred of those accused of perpetrating human rights violations were private citizens. The UHRC reported that 237 members of the Ugandan Peoples Defense Forces (UPDF) and 148 police officers were also accused of human rights violations. The report did not specify how many of these individuals were ultimately found guilty of offenses. More than 450 cases were still pending by the end of 2008.

14. (U) Nearly 30 percent of the 1,060 human rights complaints recorded by the UHRC in 2008 involved allegations of torture, cruel, inhuman or degrading treatment and punishment. The next largest category of abuses involved alleged violations of the rights of children, which accounted for 22 percent of the UHRC's cases. While the number of human rights violations registered by the UHRC in 2008 declined slightly from 2007, the number of cases involving allegations of torture and inhuman treatment increased. The UHRC attributed this increase to efforts to confiscate illegal weapons in the Karamoja region, and "poor supervision of lower cadre police officers, particularly Special Police Constables, who are usually involved in the arrest of suspects."

15. (U) The UHRC awarded approximately USD 300,000 to human rights victims during the year. Of this, approximately USD 215,000 was awarded as compensation for "the violation of the rights to personal liberty and freedom from torture or cruel, inhuman or degrading treatment or punishment."

¶16. (U) The UHRC articulated a number of recommendations designed to further protect human rights in Uganda. Noting that 56 percent of Uganda's estimated 28,205 incarcerated individuals are awaiting trial, the Commission highlighted lengthy trial delays, overcrowding, and poor health services as the main challenges facing Uganda's prison system. The Commission also determined that detention of suspects beyond the constitutional limit of 48 hours was "rife," and attributed this, however, "mainly to logistical problems experienced by police, making it difficult for them to take suspects to court or complete investigations in time." The report also highlighted delays by state attorneys, the absence of state attorneys and "police surgeons", and the lack of basic transport for police officers as contributing to the frequent violation in the 48-hour limit on the detention of suspects.

¶17. (U) Reports of human sacrifice increased from 3 cases in 2007 to 18 in 2008. The UHRC recommended applying Uganda's "Witchcraft Act" to fully prosecute such crimes, and widespread information and education campaigns. In its examination of the plight of internal displaced persons (IDPs) in northern Uganda, the Commission highlighted the need for potable water, health care, schools and trained teachers, housing, and land.

¶18. (U) The UHRC urged Parliament to ratify legislation prohibiting torture as well as cruel, inhumane and degrading treatment. The UHRC also urged the Government to eliminate "safe houses" used by security forces, and specifically the Chieftaincy of Military Intelligence (CMI), to detain and interrogate suspects, and asked the Government to improve cooperation with the Commission to ensure

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more frequent access to existing safe houses.

Comment: A Helpful Contribution

¶19. (SBU) It's good news that the UHRC is once again functioning after a six month hiatus. The UHRC operates about as independently as a government human rights commission appointed by the President can in contemporary Uganda. The U.S. Mission meets with UHRC members on a regular basis, and the Commission's efforts represents a good faith attempt by the Ugandan government to publicly address human rights concerns and compensate victims of human rights violations.

¶10. (SBU) Although UHRC touched on issues of torture and "safe houses" in its recommendations, the UHRC registered only a handful of complaints against the paramilitary outfits - to include the Police's Rapid Response Unit (RRU), the Internal Security Organization (ISO), Local Defense Units (LDUs), the CMI, and the JATT - which are Uganda's more renowned human rights violators (reftel). As a result, the UHRC is missing a critical piece of the human rights story in Uganda. Our human rights and security sector contacts believe that victims of these paramilitary units are unlikely to refer allegations of human rights violations to the UHRC because they see the organization as not fully independent and not effective in reining in the paramilitary units that commit abuses. Instead, if they report their cases at all, they go to international NGOs, like Human Rights Watch, which has an antagonistic relationship with the government. As per reftel, in our view, it is the continued impunity and lack of accountability at CMI, JATT, and the other shadowy paramilitary and security agencies that the UHRC and the Ugandan leadership needs to address, in addition to continuing ongoing efforts to professionalize ordinary police, prison, and UPDF units.

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